

THE MYSORE GAZETTE.

Published by Authority.

BANGALORE, SATURDAY, SEPTEMBER 1, 1883.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART II.

Notifications by the Govt. of India: Resident: Chief Judge, &c.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

JUDICIAL.

Fort William, 1st March 1883.

No. 529 I.—The Governor General in Council is pleased to extend the following Acts to the Civil and Military Station of Bangalore, to the extent and subject to the modifications hereinafter set forth:—

General Acts.

| 1 | 2 | 3 | 4 |
|------------------|-----------------------|------------------------|--|
| Number and year. | Title or short title. | Extent of application. | Modifications. |
| XII of 1880. | The Kázis Act, 1880. | The whole Act | In section 2, for "Local Government" read "Resident in Mysore." and for the word "it" in the expression "if it thinks fit," each time it occurs, read "he." |
| XXII of 1881 | The Excise Act, 1881. | The whole Act | For "Local Government," "Chief Controlling Revenue-authority" and "Chief Revenue authority" read "Resident in Mysore." In section 3, omit the definitions of "Chief Revenue-authority" and "Commissioner of Revenue." In section 14, omit the words "Commissioner of Revenue or." In section 23, for "British India" read "the Civil and Military Station of Bangalore." In section 54, paragraph 1, for "Commissioner of Revenue" read "Resident in Mysore" and for "such Commissioner" read "the Resident," and in paragraph 2 omit "or by a Commissioner under this section." |

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| Number and year. | Title or short title. | Extent of application. | Modifications. |
| IV of 1882 .. | The Transfer of Property Act, 1882. | The whole Act .. | In section 1, and in the definition of "registered" in section 3, the words "British India" shall be read as including the Civil and Military Station of Bangalore. In paragraph 5 of section 1, and in sections 37, 57 and 117, for "Local Government" read "Resident in Mysore." |
| VI of 1882 .. | The Indian Companies Act, 1882. | The whole Act .. | For "Local Government" read "Resident in Mysore." In section 26, omit the words "under the hand of one of its Secretaries," and in section 36, the words "under the hand of one of the Secretaries to such Government." In the last clause of section 55, for "any Judge of a High Court" read "the Chief Judge of Mysore." In the last clause of section 68, for "the High Court or any Judge thereof" read "the Chief Judge of Mysore." In section 172, the words "British India" in the first place in which they occur shall be read as including the Civil and Military Station of Bangalore. In other places, throughout the Act, for "British India" read "the Civil and Military Station of Bangalore." |
| VIII of 1882 | Indian Penal Code Amendment. | The whole Act .. | |
| X of 1882 .. | The Code of Criminal Procedure, 1882. | The whole Act, with the exception of so much as applies— (1) to the Courts of Presidency Magistrates, (2) to Justices of the Peace, (3) to European British subjects, and (4) to the High Courts of Judicature established under the 24th & 25th of Victoria, Chapter 104. | For "British India" and "Local Government," read "the Civil and Military Station of Bangalore" and "Resident in Mysore," respectively. |
| XIV of 1882.. | The Code of Civil Procedure. | The whole Act, except— In Chapter 28—sections 430, 431, 432 and 433. In Chapter 42—section 586. Chapter 45. | In construing the Code of Civil Procedure as applied to the Civil and Military Station of Bangalore, the words "High Court" taken to mean "Court of the Civil and Military Station of Mysore," and the words "British India" be read as "the Civil and Military Station of Bangalore," "Custody of the Revenue" read "Custody of the Revenue Statute" "the |

| Number and year. | Extent of application. | Modifications. |
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| XXIV of 1882. | The Code of Procedure. | <p>Section 48—sec. 682, where it occurs after "property."</p> <p>Section 588, clause (9), for "or" read "for."</p> <p>Section 484, for "the sum" read "the same."</p> <p>Section 443, paragraph 2, for "Indian Majority Act, 1875, section 3," read "Rules for the care of the persons and property of minors, published by the Notification of the Government of India, No. 75J., dated 25th April 1872."</p> |
| III of 1883. | Bengal Act. | |
| | arrest warrants given to | |

The 7th August 1883.

Whereas His Highness the Maharaja of Mysore, by an Instrument, dated the 25th day of May 1881, assigned, free of charges, to the exclusive management of the British Government, a cantonment, certain lands situated within the limits specified and described in a map annexed to the said Instrument, and forming the Civil and Military Station of Bangalore; and whereas by the said Instrument His Highness the Maharaja of Mysore renounced all the lands so assigned: In exercise of the powers conferred by sections 4 and 5 of Act XXI of 1879 [the Foreign Jurisdiction and Extradition Act, 1879], and of all other powers enabling him in this behalf, 3th April and 28th October, 1881, as relates to Laws and Regulations, and in super-session of a Notification (save the Notification No. 5291, dated the 1st March, 1883), extending to the town and cantonment of Bangalore in so far as they relate to the Civil and Military Station of Bangalore, the Governor General in Council is pleased to declare that the following Acts apply to the Civil and Military Station of Bangalore, to the subject to the modifications hereinafter set forth, and to the modifications (if any) made in extent and Acts specified in the abovementioned Notification No. 5291., dated the 1st March, 1883:—

PART I.—General Acts.

| 1 | 2 | 3 | 4 |
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| Number and year. | Title or short title. | Extent of application. | Modifications. |
| XX of 1847 | For the encouragement of learning in the territories subject to the Government of the East India Company, by defining and providing for the enforcement of the right called copy-right therein. | The whole Act. | |

| 1 | 2 | |
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| Number and year. | Title or short title. | Extent of r fications. |
| XIX of 1850 | Concerning the binding of Apprentices. | <p>The preamble, (both inclusive), except the passage, To section 3 add "or required to find security for good conduct for four." Read "11, for "8" read "9." and "19, 20 and 21, and "Schedules A and B, section 19, Executors or administrators" and "executors administrators" read "representatives."</p> <p>words "vessel in" 16, 17, referring to plaint 19, 20 "or Registrar" 21, 24 (except "without the (the island)" and "except the (the island)" and the (the island)" and Schedule B, so as to apply to Indian and Eurasian children.</p> |
| XIII of 1859 | To provide for the punishment of breaches of contract by artificers, workmen and labourers in certain cases. | The whole Act. |
| XXVII of 1860 | For facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons. | The whole Act. |
| XLV of 1860 | The Indian Penal Code. | Do |
| V of 1861. | For the Regulation of Police. | Do |
| VI of 1861. | To authorize the punishment of Whipping in certain cases. | Do |
| X of 1865. | The Indian Succession Act, 1865. | The whole Act, but not so as to apply to Native Christians. |
| XI of 1865 | To consolidate and amend the law relating to Courts of Small Causes beyond the local limits of the Ordinary Original Civil Jurisdiction of the High Courts of Judicature. | The whole Act. |

| 1 | 2 | 3 | 4 |
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| Number and year. | Title or short title. | Extent of application. | Modifications. |
| V of 1866 .. | To provide a summary procedure on Bills of Exchange, and to amend in certain respects the Commercial Law of British India. | The whole Act. | .. |
| XIV of 1866 .. | The Indian Post Office Act, 1866. | Sections 25, 27, 35, 42 to 45 (both inclusive), and 47 to 52 (both inclusive); applicable to District Daks only. | .. |
| XXI of 1866 .. | The Native Converts Marriage Dissolution Act, 1866. | The whole Act. | .. |
| III of 1867 .. | To provide for the punishment of public gambling and the keeping of common gaming-houses. | Do | .. |
| VII of 1867 .. | To reduce the pecuniary penalty for purchasing from soldiers arms, ammunition, clothes and other articles. | Do | .. |
| XXV of 1867 .. | For the regulation of printing presses and newspapers, for the preservation of copies of books printed in British India, and for the registration of such books. | Do | .. |
| I of 1868 .. | The General Clauses Act, 1868. | The preamble and sections 1 to 6 (both inclusive). | In section 2, for "after this Act shall have come into operation" read "and extended to the Civil and Military Station of Bangalore." In section 2, for clause (10) read "Local Government shall mean the person or persons authorized to administer Executive Government in the Civil and Military Station of Bangalore, and shall include the Resident in Mysore;" and for clause (11) read "High Court shall mean the highest Civil Court of appeal in the Civil and Military Station of Bangalore." |
| VII of 1870 .. | The Court-fees Act, 1870. | The whole Act. | In section 15 for "plaint or memorandum of appeal" read "application;" and, in Schedule I, read Number two as if "or memorandum of appeal" were omitted. |

PART I.—General Acts—Continued.

| 1 | 2 | 3 | 4 |
|------------------|--|--|--|
| Number and year. | Title or short title. | Extent of application. | Modifications. |
| X of 1870 .. | The Land Acquisition Act, 1870. | The whole Act. | .. |
| XXIII of 1870 | The Indian Coinage Act, 1870. | Do | .. |
| XXVII of 1870 | Indian Penal Code Amendment. | Do | .. |
| I of 1871 .. | The Cattle-trespass Act, 1871. | Do | .. |
| XXIII of 1871.. | The Pensions Act, 1871. | The preamble and sections 1, 2, 4, 5 (except the words "subject to the general control of the Local Government"), 6, 7 [clause (1)], 8 to 13 (both inclusive) and 14 (except the words "with the consent of the Local Government"). | For "Local Government," "Chief Revenue Authority" and "Chief Controlling Revenue Authority," read "Resident in Mysore." |
| XXVI of 1871 .. | The land Improvement Act, 1871. | The preamble and sections 1 (paragraph 1) and 3 to 18 (both inclusive). | For "Local Government" read "Resident in Mysore." |
| I of 1872 | The Indian Evidence Act, 1872. | The whole Act. | .. |
| IX of 1872 .. | The Indian Contract Act, 1872. | Do | For the explanation to section 265 read "The Court in this section shall be taken to mean a Court not inferior to the Court of the Civil Judge." |
| XV of 1872 .. | The Indian Christian Marriage Act, 1872. | The preamble, sections 2 to 7 (both inclusive), 9 [except the words "or (so far as regards any Native State) the Governor General in Council"], 10 to 27 (both inclusive), 37 to 42 (both inclusive), 44, 45 and 46 (except those expressions which refer to the jurisdiction of a Judge of the High Court), 48 (except the last three clauses and such expressions as refer to the jurisdiction of a Judge of the High Court), 49 to 53 (both inclusive), 57 to 83 (both inclusive), 85, 87 and 88, and Schedules I, II and V; but only so far as regards marriages between persons and of whom is a Native Christian subject of Mysore and neither of whom is a Christian British subject. | For "Local Government," read "Resident in Mysore" |

PART I.—General Acts.—Continued.

| 1 | 2 | 3 | 4 |
|------------------|--|---|--|
| Number and year. | Title or short title. | Extent of application. | Modifications. |
| XVIII of 1872 | The Indian Evidence Act Amendment Act. | The whole Act. | .. |
| XIX of 1872 | Indian Penal Code Amendment. (Definition of "Coin.") | Ditto | .. |
| V of 1873 | The Government Savings Banks Act, 1873. | Ditto | .. |
| X of 1873 | The Indian Oaths Act, 1873. | Ditto | In section 7 for "High Court" read "Chief Judge of Mysore." |
| XXI of 1876 | To amend the Land Improvement Act, 1871. | Ditto | For section 1 read "This Act shall be read with and taken as part of the said Land Improvement Act, 1871." In section 2, for "one" read "three." In section 4, after "advanced under this Act" insert "or chargeable on account of interest according to the rules made hereunder." In section 5, for "Local Government" read "Resident in Mysore." |
| I of 1877 | The Specific Relief Act, 1877. | The preamble, sections 1 to 44 (both inclusive) and the Schedule. | ... |
| III of 1877 | The Indian Registration Act, 1877. | The whole Act. | For "first day of October, 1877," read "first day of January, 1878." |
| XV of 1877 | The Indian Limitation Act, 1877. | The whole Act. | For "High Court" read "Court of the Chief Judge of Mysore." For "Court of a District Judge" read "Court of the Civil Judge." For "British India" read "the Civil and Military Station of Bangalore." In the Second Schedule, No. 171 A (added by Act XII of 1879, section 108), for "The date of the plaintiff's death" read "The sixtieth day from the date of the plaintiff's death." |

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PART I.—General Acts—Continued.

| 1 | 2 | 3 | 4 |
|------------------|-----------------------------|--|--|
| Number and year. | Title or short title. | Extent of application. | Modifications. |
| I of 1878 | The Opium Act, 1878. | The preamble and sections 1, 3 (except, in the definition of "Magistrate," the words "in the Presidency-towns, a Presidency Magistrate, and elsewhere"), 4 to 11 (both inclusive), 12 (except, in the third paragraph, the words "Collector of the District or"), 13 to 18 (both inclusive), 19 (except the words "Collector of the District"), 20, 21, 22 (except the last paragraph), 23, 24 (except the words "Collector of the District," "Collector" and "Collector, Deputy Collector or other") and 25. | For "the Local Government," "any Local Government," "the same Local Government," "such Government" and "such Local Government," read "the Resident in Mysore." For the last two clauses of section 1 read "And it shall come into force in the Civil and Military Station of Bangalore on the 1st day of April, 1880." In section 6, for "British India" read "the Civil and Military Station of Bangalore." |
| XI of 1878 | The Indian Arms Act, 1878. | The preamble, sections 1 [except the first paragraph, clause (a), and in clause (b) the words "import, export"], 3 to 5 (both inclusive), 10 (except the <i>Explanation</i>), 12, 13, 14 (except the words "to Her Majesty"), 15, 16 (except the words "to Her Majesty"), 17 [except, in clause (d), the words "or section 6"], 18 (except the words "or Commissioner of Police in a Presidency-town"), 19 [except clause (c)], 20 [except the reference to clause (c) of section 19], 21 to 28 (both inclusive), 29 (except the words "or, in a Presidency-town, of the Commissioner of Police"), 30 (except the words "or the Presidency Magistrates Act, 1877" and "or Act") and 31 to 33 (both inclusive) and Schedule I. | For "British India" read "the Civil and Military Station of Bangalore." For "Local Government" read "Resident in Mysore." In section 18, for "Magistrate or Commissioner" read "or Magistrate," and for "its" read "his." |
| I of 1879 | The Indian Stamp Act, 1879. | Sections 1 (except the last clause), 2 to 72 (both inclusive), Schedule I, Schedule II [except, in No. 15 (c), the words "(in the Presidencies of Fort St. George and Bombay)"] and Schedule III. | For "British India" read "the Civil and Military Station of Bangalore." For "Local Government" read "Resident in Mysore." In section 5, clause (c), for "April" read "June." |

PART I.—General Acts—Concluded.

| 1 | 2 | 3 | 4 |
|-----------------------------|--|---|--|
| Number and year. | Title or short title. | Extent of application. | Modifications. |
| I of 1879— <i>contd.</i> | The Indian Stamp Act, 1879.— <i>contd.</i> | .. | For section 46 <i>read</i> "The Chief Controlling Revenue Authority may state any case referred to it under section 45, or otherwise coming to its notice, and refer such case, with its own opinion thereon, to the Court of the Chief Judge of Mysore or other Court exercising the functions of a High Court in the Civil and Military Station of Bangalore." In sections 47, 48 and 49, for "High Court or Chief Court" <i>read</i> "Court of the Chief Judge of Mysore or other such Court as aforesaid." |
| IV of 1879 | .. The Indian Railway Act, 1879. | The preamble, sections 1 (except the second paragraph), 2 (except the 3rd paragraph), 3 to 49 (both inclusive), 50 (except the words "a Presidency Magistrate and") and 51 to 54 (both inclusive), and the Schedules. | |
| XII of 1879 | .. To amend the Code of Civil Procedure, the Registration Act, 1877, and the Limitation Act, 1877. | Sections 104 to 108 (both inclusive). | |
| XIV of 1880 | .. The Indian Census Act, 1880. | The preamble and sections 1 to 4 (both inclusive), 5 (except (1) in clause (a) the words "or naval," in both places in which they occur, and the words "or of any vessel of war" and (2) in the last paragraph but one the words "or, in the towns of Calcutta, Madras and Bombay, by such officer as the Local Government may appoint in this behalf" and the words "or officer"), 6 to 11 (both inclusive), 12 (except, in the last paragraph, the words "in the towns of Calcutta, Madras and Bombay" and the words "before a Presidency Magistrate, and elsewhere") and 13 (except the words and figures "or chapter eighteen of the Presidency Magistrates' Act, 1877"). | For "British India" <i>read</i> "the Civil and Military Station of Bangalore." For "Local Government" <i>read</i> "Resident in Mysore." For section 6 <i>read</i> —"The Magistrate may, by an order, written, printed or lithographed, call upon all owners and occupiers of land, tenure-holders, farmers and assignees of land-revenue in the Civil and Military Station of Bangalore, or their agents, to give such assistance as he needs towards the taking of a census of the persons who are at the time of taking the census on the land of such owners, occupiers, holders, farmers and assignees. Such order shall specify the nature of the assistance required, and such owners, occupiers, holders, farmers and assignees, or their agents, shall be bound to obey it." |

PART II.—*Bombay Acts.*

| 1 | 2 | 3 | 4 |
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| Number and year. | Title or short title. | Extent of application. | Modifications. |
| I of 1865 | .. Bombay Survey and Settlement Act. | The preamble and sections 1 to 49 (both inclusive). | For "Governor in Council" |
| IV of 1868 | .. Act for City Surveys and Amendment of Bombay Survey and Settlement Act, 1868. | The whole Act. | read "Resident in Mysore." |

PART III.—*Bengal Act.*

| 1 | 2 | 3 | 4 |
|------------------|--|--|--|
| Number and year. | Title or short title. | Extent of application. | Modifications. |
| I of 1869 | .. For the prevention of cruelty to animals. | The preamble and sections 1 to 5 (both inclusive) and 7. | In section 7, for "Calcutta" read "the Civil and Military Station of Bangalore." |

C. GRANT,
Secretary to the Govt. of India.

JUDICIAL DEPARTMENT.

IN THE CHIEF COURT OF MYSORE.

Civil Side.

Rule of Practice No. 49, dated 22nd August 1883.

The Acting Chief Judge directs that the following alteration be made in Rule of Practice No. 49, dated 25th July 1878:—

For the words "as soon as decree has passed" in para 2 of the Rule, read "three months after the case is closed."

By Order of the Court,

S. HAMAJEE ROW,
Registrar.

GENERAL DEPARTMENT.

REVISED RULES FOR THE SUPPLY OF STATIONERY AND FORMS.

The 29th August 1883.

With a view to enforce further economy in the use of stationery in the Public Offices and Departments of this Government, the Comptroller, by desire of the Dewan, has the honor to request the attention of Public Officers of all grades to the existing rules. They are contained in General Circular